

D. C. Form No. 100 Rev.

UNITED STATES DISTRICT COURT

68 CRIM. 1024

TITLE OF CASE		ATTORNEYS
THE UNITED STATES		xRoxie & Fox
vs.	1500	T. 49, U.S. Code, Secs. 1472(j)-1473(a) & T. 18, U.S.C. Sec. 2
<u>Closed</u> -454 JOSE RAFAEL RIOS CRUZ C 12-18-75	9999	Unlawfully using deadly weapons to assault, intimidate & threaten flight crew members & stewardesses aboard an aircraft in air commerce. (Ct. 2) - T. 49 U.S.C. Sec. 1472(i)-1473(a), T. 18, U.S.C. Sec. 2
LUIS ARMANDO PENA SOLTREN F 5-21-69		Unlawfully cause the commission of aircraft piracy in the seizure & exercise of control of an aircraft in flight in air commerce. (Ct. 3) - T. 18, U.S.C. Secs. 2- 1201 & 3238- *
<u>Closed</u> 1312 MIGUEL CASTRO C 5-4-76	5100	
<u>Closed</u> 1312 ALEJANDRO FIGUEROA C 5-7-69	2600	
*		(cont'd. on the left)
* Unlawfully transporting in interstate & foreign commerce, persons who had been unlawfully seized.		
4993 (Ct. 4) - T. 18, U.S. Code, Secs. 371 & 1201 Conspiracy so to do. (Ct. 1)	FOUR COUNTS	

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed ✓	Clerk				
J.S. 3 mailed 4,1,3, (CLST - #42-43)	Marshal				
Violation #1 Reopened 10/21/75	Docket fee				
Title					
Sec.					

DATE	PROCEEDINGS
12-20-68	Filed indictment.
12-23-68	ALEJANDRO FIGUEROA - Anthony F. Marra, assigned as Atty under CJA by Commissioner Edward Panzer of counsel. Pleading adj'd to 12-30-68. Deft. REMANDED in lieu of \$150,000. bail WEINFELD, J.
1-28-69	ALEJANDRO FIGUEROA - Legal Aid Society relieved of Assignment. Fredrick H. Block Esq. assigned as Atty to CJA. Deft Pleads Not GUILTY. Trial assigned to Judge WEINFELD in May. Motions maybe made returnable before Judge WEINFELD if he is agreeable. Deft Remanded in Lieu of bail fixed 12-23-69. METZNER, J.
2-3-69	Filed affdvt and notice of motion for list of witnesses in a Capital case. ALEJANDRO FIGUEROA, 2/11/69.
2-3-69	Filed affdvt and notice of motion to Suppress ALEJANDRO FIGUEROA, 2/11/69.
2-3-69	Filed affdvt and notice of motion for Reduction of bail. ALEJANDRO FIGUEROA, 2/11/69.

	CONT'D ON PAGE 2. ---

DATE	PROCEEDINGS
4-15-69	Motion filed 4-14-69 by deft Alejandro Figueroa and motion filed 4-10-69, is respectfully referred to Judge Weinfeld with his consent MOTLEY, J.
4-21-69	ALEJANDRO FIGUEROA- Filed Waiver of Jury Trial. 4/21-69. WEINFELD, J.
4-21-69	ALEJANDRO FIGUEROA- Filed Supplemental Affidavit, of Frederick H. Block, Requesting the Court to grant authorization for a proposed trip to Cuba to Luis Alberto Cid, Esq., a member of the Puerto Rican bar, who is associated with deponent in the defense of the deft.
4-21-69	ALEJANDRO FIGUEROA- Filed Order 1. Luis Alberto Cid Esq., is authorized to proceed to Cuba for the purpose of conducting investigations on behalf of Alejandro figueroa, the deft, upon submission of appropriate vouchers accordance with the provisions of the Criminal Justice Act. 2. A.U.S.A. for the S.D.N.Y. & his representatives shall take all necessary action to facilitate the making of such a trip. dtd 4-21-69. WEINFELD, J.
4-24-69	ALEJANDRO FIGUEROA: Filed Supplemental Affidvt. of Frederick H. Block Re: request to take testimony in Cuba
	ALEJANDRO FIGUEROA: Filed deft's interrogs.
	Filed Government's memorandum in opposition to Deft's motion to take deposition by interrogs of Co-Deft. TIOS.
4-24-69	ALEJANDRO FIGUEROA: Filed copy of Opinion #35,801 RE:to take deposition by written interrogs etc. *** Under all the circumstances, the Court, in the exercise of discretion, denies the application, but without prejudice to renewal following the return of the investigator. WEINFELD, J. (mailed notice)
4-25-69	ALEJANDRO FIGUEROA: Filed List of Government Witnesses
5-7-69	ALEJANDRO FIGUEROA: Filed order that copy of the transcribed stenographic minutes of the trial in progress be provided daily copy to said ALEJANDRO FIGUEROA in forma pauperis etc. (mailed notice) WEINFELD, J.
*4-18-69	(continued from Page 2) Upon application of deft. ALEJANDRO FIGUEROA, the Court has instructed the United States to serve upon the deft. a list of witnesses pursuant to 18 USC para. 3432 no later than Friday, April 25, 1969 at 12:noon. WEINFELD, J.
4-21-69	Deft. with atty present, request waiver of trial by Jury. After informed of his rights by the the Court, the deft. insisted on his request. Trial by Jury waived and approved by Court. WEINFELD, J.
5-5-69	before WEINFELD, J.- non-Jury trial begun for deft. ALEJANDRO FIGUEROA
5-6-69	Trial continued
5-7-69	Trial continued
5-8-69	Trial continued, Government rests. Deft. moves for a direct verdict of Acquittal. Motion denied. Deft. rests..
5-9-69	Trial continued & concluded. Deft. FIGUEROA found NOT GUILTY on all counts.

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DATE	PROCEEDINGS
	Deft. ordered DISCHARGED WEINFEL, J.
ALEJANDRO FIGUEROA:	
5-14-69	/Filed copy of memorandum (FINDINGS OF FACT) *** Upon all the evidence, this case is just riven with doubts, and accordingly the Court finds the deft. NOT GUILTY. The forgoing shall constitute the Court's findings of fact. WEINFELD, J. (mailed notice)
5-21-69	JOSE RAFAEL RIOS CRUZ) LUIS ARMANDO PENA SOLTREN) MIGUEL CASTRO) - Bench Warrants Ordered. Marked off calendar. FRANKEL, J.
5-21-69	JOSE RAFAEL RIOS CRUZ) LUIS ARMANDO PENA SOLTREN) -Bench warrants issued. MIGUEL CASTRO)
MAY 26 1969	Alejandro Figueroa Filed remand dated 12-20-69
MAY 26 1969	Alejandro Figueroa Filed discharge dated 5-9-69 Found Not Guilty
5-29-69	Filed Memorandum Opinion #35,907- *** In the circumstances, the Court approves the application for allowances in the sum of \$1,250.00 and disbursements in the sum of \$112.89, a total of \$1,362.89, subject to the approval of the Chief Judge of the Court of appeals, and certifies that such payment is necessary to provide fair compensation for protracted representation of the deft. The Court has made separate allowances for the investigators who were appointed pursuant to Court order . WEINFELD, J. (copies of memorandum #35,907 were sent to Judge LUMBARD)
6-16-69	ALEJANDRO FIGUEROA-Filed CJA form 4 Voucher for Compensation & Expenses of appointed counsel. Frederick Block. (mailed original to Adm Off Wash D.C.) WEINFIELD, J.
6-16-69	ALFJANDRO FIGUEROA-Filed CJA form 5 which is in excess of the limitation of \$500.00 dtd 5-29-69. (mailed to Wash D.C.) WEINFELD, J.
6-16-69	ALFJANDRO FIGUEROA-Filed CJA form 9 Voucher for Compensation & Expenses for Investigative expert or other services. dtd 5-29-69 (mailed to Wash D.C.) WEINFELD, J. T.H. Tracy 320 East 53rd St. N.Y.C. 10022. With affdvt filed on 5-29-69.
6-16-69	ALEJANDRO FIGUEROA-Filed CJA form 9 Voucher for compensation & Expenses for Investigative expert or other services. Luis Alberto Cid Calle Deretau No 4 Altos Esq., Betances, Bayamon, Puerto Rico 00619.(mailed to Wash D.C.) WEINFIELD, J.
6-16-69	ALEJANDRO FIGUEROA-Filed affdvt for Compensation & Expenses for investigative services. of Luis Alberto Cid. dtd 5-13-69.
6-16-69	ALEJANDRO FIGUEROA-Filed affdvt of Services. for Frederick H. Block filed 5-29-69 and docketed on 6-16-69.
6-19-69 6/19/69	ALEJANDRO FIGUEROA Filed Transcript of record of proceedings, dated 5-5, 6, 7, 8-69 Filed Transcript of record of proceedings, dated 5/19/69
6-20-69 6/19/69	ALEJANDRO FIGUEROA Filed Transcript of record of proceedings, dated 2-28-69 Filed Transcript of record of proceedings, dated 5/19/69
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JUDGE PIERCE

PROCEEDINGS

7-1-71	J. CRUZ L. Soltren M. Castro	Closed statistically because <input checked="" type="checkbox"/> defendants) <input type="checkbox"/> co-defendant) ARE <input type="checkbox"/> witness) fugitives In all other respects this case is still pending.
10-3-75	JOSE RAFAEL RIOS CRUZ- Filed ORDER that deft. be returned to the M.C.C. to be held on \$100,000 bail to be returned for a pre-trial conference on 11-3-75. Deft. to be given appropriate medical attention in regard to his concern that he may be suffering from tuberculosis.....Pierce,J.	
9-18-75	No appearance by deft. Cruz - adjourned to 10-2-75 at 4:45 P.M.....Pierce,J.	
10-2-75	Deft. Cruz (atty Jack Lipson present) waives reading of indictment and pleads not guilty as to all counts charged. Bail of \$100,000 continued. Deft. is remanded. Further pre-trial conference 11-3-75 at 4:45 P.M.....Pierce,J.	
11-03-75	Deft. Cruz (atty Jack Lipson present) pleads guilty to count 2. Pre-sentence investigation ordered. Sentence 12-16-75 at 4:30 P.M. Room 102. Bail of \$100,000 cash continued. Deft. continued remanded.....Pierce,J.	
12-18-75	JOSE RAFAEL RIOS CRUZ - Filed Judgment & Commitment (Atty Present) The deft. is hereby committed to the custody of the Atty. Gen. or his authorized representative for a period of FIFTEEN (15) YEARS on count 2. Pursuant to the provisions of Title 18 USC Section 4208(a)(2) the deft. shall become eligible for parole at such time as the Board of Parole may determine. Counts 1,3,& 4 are dismissed on motion of defts. counsel with the consent of Gov't. Deft. is Remanded Pierce J.	
12-22-75	Issued Commitment.	
1-9-76	JOSE RAFAEL RIOS CRUZ - Filed true copy of J & C with marshals ret. Deftd. delivered on 12-18-75 to Warden, MCC, NYC	
2-9-76	JOSE RAFAEL RIOS CRUZ - Filed the following papers rec'd from Magistrate Schreiber (Mag. #75-1214) Docket Entry Sheet Disposition Sheet Warrant of Arrest SDNY Warrant of Removal on Indictment other District Appointment of Counsel & Financial Affdvt. CJA 23 William J. Gallagher, Federal Def. Services Unit, The Legal Aid Socie 15 Park Row, NYC 10038, Tel. 374 1737.	
3-3-76	Dft. Castro present (Atty. Richard Rosenkranz) arraigned & pleads not guilty as charged.....Pierce J.	
3-3-76	MIGUEL CASTRO- Filed the following papers rec'd from Magistrate Jacobs. (Mag. #76-260) Docket Entry Sheet True Copy of Docket Entry Sheet from U.S. Dist. Court San Juan Puerto Rico & True Copy of Bond & Tree Copy of Waiver & Warrant of Removal, from U.S. Dist Court of San Juan Puerto Rico. Copy of Indictment Appointment of Counsel - Richard Rosenkranz-66 Court Street BkLY, NY	

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DATE	PROCEEDINGS
03-08-76	RICHARD ROSENKRANTZ Filed Order that Dr. Gurston D. Goldin, M.D., 166 East 63rd Street, NY a qualified psychiatrist be employed to examine dft. to determine defts. mental capacity, etc. & that said examination occur within 7 days of this order at the Federal Metropolitan Correction Center, NY, & Dr. Goldin be permitted to visit deft. at the MCC, NYC at an agreeable time to doctor & warden, & doctor prepare written report of his findings & conclusions, etc. on or before 3-19-76, to be submitted to U.S. Atty. Robert J. Jossen for dft. Richard Rosenkrantz & U.S. Atty. for SDNY be directed to pay a reasonable fee for services of Dr. Goldin not to exceed the sum of \$150.00 dollars.....Pierce J. (mailed notice)
03-24-76	Dft. Castro Cruz present (Atty. R. Rosenkranz present) withdrawn plea of not guilty & pleads Guilty to Count 2 only. PSI ordered - Sentence 4-29-76 at 4:30 pm - Deft. Remanded.....Pierce J.
03-29-76	MIGUEL CASTRO - Filed Warrant of Arrest. Executed 2-3-76.
05-04-76	MIGUEL CASTRO CRUZ - Filed Judgment & Commitment(Atty. Richard Rosenkranz Present) The dft. is hereby committed to the custody of the Atty. Gen. or his authorized representative for imprisonment for a period of TWELVE X(12) YEARS on count 2. Purs. to the provisions of Title 18, U.S. Code, Sec. 4208(a)(2), the dft. shall become eligible for parole at such time as the Board of Parole may determine. Counts 1, 3 & 4 are dismissed on motion of dfts. counsel with the consent of the Gov't. Court recommends that the dft. receive medical & psychiatric treatment.....Pierce J. Issued Commitment 5-5-76.
6-10-76	JOSE RAFAEL RIOS CRUZ Filed CJA 20 Copy 2 - approving payment to Richard Rosenkrantz, 66 Court St., Bklyn, NY 11201, Tel. TR 5 9440, as atty. for dft.
6-10-76	MIGUEL CASTRO CURZ - Filed True Copy of J&C with marshals ret. Dft. delivered to MCC, NY on 5/4/76.
7-19-76	Filed Memo. End. on Dft. Castro Letter dtd. 7-10-76, Dfts. motion denied as indicated (seeks reduction of sentence dtd. 5/4/76). Pierce J. (Pro Se mailed notice)
	111082 NO FURTHER ENTRIES SEE COMPUTERIZED DOCKET